

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE WDH HOWELL, LLC,

Debtor.

TOWNSHIP OF HOWELL,

Appellant,

v.

WDH HOWELL, LLC, et al.,

Appellees.

Bankruptcy No. 01-50618 (KCF)

CIVIL ACTION NO. 06-2535 (MLC)

MEMORANDUM OPINION

THE APPELLANT advising the Court by telephone on the afternoon of September 5, 2006, and by a letter submitted to Chambers on September 7, 2006, that (1) this matter has been settled, and (2) the Court may enter a 60-day order (9-5-06 Kress Telephone Call, 9-7-06 Kress Letter); and thus the Court intending to dismiss the appeal (1) without costs and (2) without prejudice to reopen the appeal on good cause shown within 60 days if the settlement is not consummated; and for good cause appearing, the Court will issue an appropriate order and judgment.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge